

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

PAIGE CASEY,

Plaintiff,

v.

**MINUTE CLINIC DIAGNOSTIC OF
VIRGINIA, LLC, and CVS HEALTH
CORPORATION,**

Defendants.

Case No. 1:22-cv-01127-TSE-WEF

**DEFENDANTS' MOTION TO DISMISS,
OR ALTERNATIVELY TO STAY, AND TO COMPEL ARBITRATION**

Come now MinuteClinic Diagnostic of Virginia, LLC and CVS Health Corporation (improperly pleaded as CVS Health, Inc.) (collectively “Defendants”), by and through their undersigned counsel, and pursuant to the Federal Arbitration Act, 9 U.S.C. §§ 3-4 and 6, Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, and Rule 7 of the Local Civil Rules of the United States District Court for the Eastern District of Virginia, hereby move the Court to dismiss the Complaint of Plaintiff Paige Casey, or alternatively to stay this action, and to compel arbitration.

Plaintiff’s Complaint must be dismissed, or in the alternative this action stayed, because her claims are subject to mandatory and binding arbitration pursuant to an Arbitration Agreement entered into by the parties on or about September 5, 2018 at the time Plaintiff was hired, which requires arbitration of the employment-related claims Plaintiff asserts in her Complaint. The Arbitration Agreement is explicitly governed by the Federal Arbitration Act, 9 U.S.C. §§ 1 *et seq.*

(“FAA”). In accordance with the FAA, this Court is required to enforce the Parties’ Arbitration Agreement and to dismiss, or stay, this action and to compel the Plaintiff to arbitrate her claims. For these reasons, fully explained in the accompanying Brief, Defendants respectfully request dismissal of Plaintiff’s Complaint, or alternatively a stay of this action, and request that this Court compel arbitration.

Dated: October 27, 2022

Respectfully submitted,

/s/ Meredith L. Schramm-Strosser

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Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of October, 2022 Defendants' foregoing Motion to Dismiss, or Alternatively to Stay, and to Compel Arbitration was filed using the Court's CM/ECF system, which caused a copy of same to be served upon Plaintiff's counsel as follows:

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